

**REMARKS**

This Amendment is being filed in response to the Office Action mailed July 15, 2004.

Claims 1-13 are pending. Claims 1, 9, 10, 11 and 13 have been amended.

The Examiner has rejected applicant's claims 1-13 under 35 U.S.C. §102(e) as being anticipated by the Sethuraman patent (US 6,563,549). Applicant has amended independent claims 1, 9, 10, 11 and 13, and with respect to such claims and their respective dependent claims, the Examiner's rejection is respectfully traversed.

Applicant's independent claims 1, 9, 10, 11 and 13 have been amended to better define applicant's invention. Particularly, amended independent claim 1 now recites a designating means for designating an arbitrary frame among said moving image data by viewer's operation. Applicant's independent claims 9, 10, 11 and 13 have been similarly amended.

The constructions recited in applicant's independent claims 1, 9, 10, 11 and 13 are not taught or suggested by the cited art of record. According to the Examiner, the Sethuraman patent discloses an image processing apparatus comprising input means for inputting a data train; designating means for designating an arbitrary frame among the moving image data (I, P or B frames); definition detecting means for detecting definitions of a plurality of frames in the moving image data; similarity range detecting means for detecting, from among the moving image data, a range of successive frames indicating an image similar to that of the frame designated by the designating means; selecting means for selecting one frame from the moving image data based on the output of the definition detecting means and of the similarity range detecting means, as claimed in applicant's claims 1, 9-11 and 13. The Examiner further has argued that Sethuraman discloses storing the selected frame in storing means, wherein the

selecting means reads out and outputs the image data of one frame which is stored in the storing means in accordance with a designating operation of the designating means as specified in applicant's claim 9.

Applicant's amended claims are directed to an image processing apparatus which inputs a data train including moving image data composed of a plurality of frames, and includes designating means for designating an arbitrary frame among the moving image data by viewer's operation (see, e.g., Application p. 3, lines 2-6) and selecting, from the input moving image data, one frame on the basis of definition information detected from the frames of the moving image data. For example, one frame with the same scene as the designated frame may be selected on the basis of the definition information of each frame, as required by amended independent claim 10 and described on page 24, lines 2-4 of applicant's specification. In accordance with the applicant's invention, a clear still image can be selected from input moving image data and then output to a printer.

Applicant submits that this feature of applicant's amended claims is not taught or suggested by the Sethuraman patent. Particularly, the Sethuraman patent is completely silent as to designating an arbitrary frame among the moving image data by viewer's operation. Sethuraman is directed to an MPEG-like encoding system which encodes a moving image data to produce a group of pictures (GOP) comprising anchor frames (I-frame or P-frame) and one or more non-anchor frames (B-frames) (Col. 3, lines 1-11). The encoding system disclosed in the Sethuraman patent includes a first encoding module which encodes every anchor frame of the stream as a P-frame and a second encoding module which encodes every anchor frame of the stream as an I-frame (Col. 3, lines 29-50). These modules are controlled by a controller which,


upon detection of discontinuity (e.g. scene change), changes the first anchor frame of the GOP from an I-frame to a P-frame (Col. 4, lines 13-15). While the Sethuraman patent teaches encoding each frame in the GOP as an I-frame, a P-frame, or a B-frame, the selection of each frame and the type of encoding applied to each frame is performed by the encoding system. Accordingly, the "designation" of the frames as I, P or B frames is performed by the encoding system and not by viewer's operation, as required by applicant's amended independent claims 1, 9, 10, 11 and 13. The Sethuraman patent, therefore, does not teach or suggest a designating means for designating an arbitrary frame among said moving image data by viewer's operation.

In view of the above, it is submitted that applicant's independent claims 1, 9, 10, 11 and 13, and their respective dependent claims, all of which recite such features, patentably distinguish over the Sethuraman patent. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,

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